

Message Text

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PAGE 01 STATE 179018
ORIGIN ARA-14

INFO OCT-01 ISO-00 L-03 DHA-02 IO-13 PA-01 PRS-01
USIA-06 /041 R

DRAFTED BY USOAS:MDTON:NR
APPROVED BY USOAS:REWHITE
ARA - AMB. TODMAN
ARA/CEN - WMATTHEWS
L/ARA - FARMSTRONG

-----015432 301052Z /21

R 300110Z JUL 77
FM SECSTATE WASHDC
TO AMEMBASSY GUATEMALA
AMEMBASSY MANAGUA
AMEMBASSY SAN SALVADOR
AMEMBASSY TEGUCIGALPA

C O N F I D E N T I A L STATE 179018

E.O. 11652: GDS

TAGS: PORG, SHUM, OAS

SUBJECT: RATIFICATION OF SAN JOSE PACT

1. AMBASSADOR OF PERU TODAY SIGNED AMERICAN CONVENTION ON HUMAN RIGHTS, "PACT OF SAN JOSE", ON BEHALF OF HIS GOVERNMENT IN CEREMONY AT THE OAS WHICH AMBASSADORS TODMAN AND MCGEE ATTENDED. PERU'S ACTION BRINGS TO 14 NUMBER OF COUNTRIES THAT HAVE SIGNED (PRESIDENT CARTER SIGNED FOR THE US ON JUNE 1); NUMBER OF RATIFICATIONS HAS REACHED THREE (COLOMBIA, COSTA RICA, VENEZUELA) OF 11 REQUIRED AND PROCESS OF US RATIFICATION IS NOW UNDERWAY.

2. ACTION REQUESTED: ADDRESSEE COUNTRIES TOOK GENERALLY NEGATIVE STAND ON HUMAN RIGHTS AT GRENADA OASGA THAT WE BE-
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PAGE 02 STATE 179018

LIEVE IS OUT OF KEEPING WITH THEIR OWN TRADITIONS OF RESPECT FOR THE INDIVIDUAL AND THEIR STATUS AS INITIAL SIGNATORIES OF AMERICAN CONVENTION ON HUMAN RIGHTS. WE BELIEVE RATIFICATION OF THE PACT OF SAN JOSE BY REQUISITE NUMBER OF STATES TO BRING IT INTO FORCE WOULD GO FAR TOWARD MULTILATERALIZING MONITORING AND ENFORCEMENT OF HUMAN RIGHTS IN A WAY THAT WOULD LESSEN BILATERAL FRICTION OF

TYPE WE ARE NOW EXPERIENCING. RATIFICATION BY CENTRAL AMERICAN SIGNATORIES WOULD BE SIGNIFICANT EARNEST OF THEIR COMMITMENT TO DEFENSE OF HUMAN RIGHTS IN THE INTER-AMERICAN FRAMEWORK. IT WOULD BE MORE THAN AN IMPORTANT SYMBOLIC ACT FOR IT WOULD MARKEDLY ADVANCE PROSPECTS FOR REACHING TOTAL OF ELEVEN STATES REQUIRED TO BRING PACT INTO FORCE. OBVIOUSLY IT WOULD, IF ADOPTED BY OAS, IMPOSE NEW OBLIGATIONS IN DEFENSE OF HUMAN RIGHTS ON ALL MEMBER STATES BUT RESULT WOULD BE INSTITUTIONALIZATION OF MONITORING/ ENFORCEMENT IN INTER-AMERICAN HUMAN RIGHTS COMMISSION AND NEW INTER-AMERICAN HUMAN RIGHTS COURT RATHER THAN UNDER CURRENT PROCEDURES THAT SOME GOVERNMENTS CRITICIZE AS AD HOC AND OPEN TO POLITICIZATION. DEPARTMENT REQUESTS AMBASSADORS/CHARGES APPROACH EACH OF THESE GOVERNMENTS AT HIGH LEVEL TO URGE RATIFICATION OF SAN JOSE PACT AS MEASURE IN KEEPING WITH TRADITIONS AND VALUES OF ITS PEOPLE AND IMPORTANT STEP TOWARD MULTILATERALIZATION OF ISSUE THAT IS CURRENTLY TROUBLING HEMISPHERIC RELATIONSHIPS. VANCE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TREATY RATIFICATION, HUMAN RIGHTS, LOBBYING
Control Number: n/a
Copy: SINGLE
Sent Date: 30-Jul-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE179018
Document Source: CORE
Document Unique ID: 00
Drafter: MDTON:NR
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770274-0072
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t1977071/aaaaaaqt.tel
Line Count: 82
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 03e98662-c288-dd11-92da-001cc4696bcc
Office: ORIGIN ARA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 26-Jan-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1718506
Secure: OPEN
Status: NATIVE
Subject: RATIFICATION OF SAN JOSE PACT
TAGS: PORG, SHUM, GT, US, OAS
To: GUATEMALA MANAGUA MULTIPLE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/03e98662-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009